

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JONATHAN I. GEHRICH, ROBERT LUND,  
COREY GOLDSTEIN, PAUL STEMPEL and  
CARRIE COUSER, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

CHASE BANK USA, N.A. and JPMORGAN  
CHASE BANK, N.A.,

Defendants.

CASE NO. 1:12-CV-5510

Honorable Gary Feinerman

**NOTICE OF FILING SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO  
ENJOIN OBJECTOR-APPELLANTS FROM VOLUNTARILLY DISMISSING THEIR  
APPEALS ABSENT COMPLIANCE WITH FEDERAL RULE OF CIVIL PROCEDURE  
23(E)(5)**

Objector D'Oyley, by and through its undersigned counsel, hereby files its Notice of Filing Supplemental Authority in support of MOTION TO ENJOIN OBJECTOR-APPELLANTS FROM VOLUNTARILLY DISMISSING THEIR APPEALS ABSENT COMPLIANCE WITH FEDERAL RULE OF CIVIL PROCEDURE 23(E)(5), and files the following;

1. FITZPATRICK, BRIAN T, *The End of Objector Blackmail?*, 62:6 Vanderbilt L. Rev. 1623, 1652-66 (2008); <http://ssrn.com/abstract=1269037> (Mr. Fitzpatrick proposes a market-based approach to objector appeals, contending that cost bonds are ineffective and counter-productive; the article proposes preventing objector settlements on appeal, and

thereby incentivizing meritorious objections while reducing unmeritorious objector appeals)

2. *SAFECO Ins. Co. of America, et al v. American Int'l Group, Inc., et al.*, 710 F.3d 754 (7th Cir. 2013) (majority opinion declines to review objector settlement on appeal; opinion does not directly address district court enjoinder of objector appellant dismissals except to hold that text of Rule 23(e) does not require same of appellate court; in dissent, Posner, J., writes that court review of objector-appellant voluntary dismissals would be best practice).

RESPECTFULLY SUBMITTED AND DATED this 23rd day of August, 2016.

By: /s/ Daniel M. Samson, Admitted Pro Hac Vice  
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**CERTIFICATE OF SERVICE**

I, Daniel M. Samson, hereby certify that on August 23, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all interested parties.

By: /s/ Daniel M. Samson, Admitted Pro Hac Vice  
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